

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE NINTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

-

WRIT PETITION NO : 13751 of 2004

Between:

Gadde Satyanarayana, alias Satyam, s/o Pedda Subbanna, r/o Buttaigudem Village
& Mandal, W.G.District.

..... PETITIONER

AND

- 1 The Superintendent of Police, W.G.District, Eluru.
- 2 The Sub-Divisional Magistrate/ Revenue Divisional Officer,
Jangareddygudem, W.G.District.
- 3 The Mandal Revenue Officer, Buttaigudem Mandal,
Buttaigudem, W.G.District.
- 4 The Station House Officer/ Sub Inspector of police,
Buttaigudem P.S., Buttaigudem, W.G.District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue order direction writ more particularly writ of mandamus declare the action of the respondents in not taking action on the petitioner's complaint dt.20-06-2004 and 2-8-2004 as being illegal arbitrary and violative of Article 14 and 300-A of the Constitution of India and consequentially direct the respondents to provide necessary police protection to the petitioner's land situated in R.S.Nos.66/1 Ac.3.00 cts., R.S.No.66/2, Ac.6.00 cts., and Patta No.36 Ac.8.00 cts. of Buttaigudem Village and Mandal, W.G.District.

Counsel for the Petitioner :MR.P.R.K.AMERANDRA KUMAR

Counsel for the Respondents: GP FOR HOME

The Court at the admission stage made the following:

ORDER:

The petitioner seeks a writ of Mandamus declaring the alleged inaction on the part of the respondents in taking action on the basis of the complaints of the petitioner dated 20.06.2004 and 02.08.2004 as arbitrary and illegal.

The petitioner states that he is a non-tribal. He also states that he is in possession and enjoyment of the agricultural land admeasuring Ac.3.00 in R.S.No.66/1, Ac.6.00 in R.S.No.66/2 and Ac.8.00 in Patta No.36 situated in Buttaigudem village and Mandal, West Godavari District, which is notified as a scheduled area. His grievance is that since tribals are interfering with his possession and obstructing his agricultural operations, he made complaints before the fourth respondent, but so far no action has been taken. Hence, this writ petition.

The learned Government Pleader who accepted notice on behalf of the respondents under instructions states that in pursuance of the complaint made by the petitioner, the fourth respondent has already registered a crime on 20.06.2004 and on the same day, he called a status report from the Mandal Revenue Officer, Buttaigudem Mandal, West Godavari District. The learned counsel states that on the basis of the complaint dated 02.08.2004 also, the fourth respondent has taken the necessary steps and a crime has already been registered.

Having regard to the facts and circumstances of the case, I deem it appropriate to dispose of the writ petition with a direction to the fourth respondent to take appropriate action on the basis of the complaints

of the petitioner as soon as he gets the status report from the Mandal Revenue Officer, Buttaigudem Mandal, West Godavari District, as expeditiously as possible, preferably within a period of two weeks from the date of receipt of the status report from the Mandal Revenue Officer.

09.08.2004

VGB

To

- 1 The Superintendent of Police, W.G.District, Eluru.
- 2 The Sub-Divisional Magistrate/ Revenue Divisional Officer, Jangareddygudem, W.G.District.
- 3 The Mandal Revenue Officer, Buttaigudem Mandal, Buttaigudem, W.G.District.
- 4 The Station House Officer/ Sub Inspector of police, Buttaigudem P.S., Buttaigudem, W.G.District.
- 5 2CCs to the Govt. Pleader for Social Welfare, High Court Buildings, Hyderabad (OUT)
- 6 2CD copies